

EV 533068619 US

January 21, 2005

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I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Linda Matsui  
Linda Matsui



PATENT

Customer Number: 22,852

Attorney Docket No. 06843.0027-03000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

FOX et al.

Application No.: 09/378,759

Filed: August 23, 1999

For: ANTIBODIES TO EPH-LIKE  
RECEPTOR TYROSINE  
KINASES

)  
)  
) Group Art Unit: 1646  
)  
) Examiner: Brannock, M.  
)  
) Confirmation No. 9481  
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)

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicants bring to the attention of the Examiner the documents listed on the attached Form PTO/SB/08. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or an action that otherwise closes prosecution.

Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed documents are enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 21, 2005

By: \_\_\_\_\_



Rebecca B. Scarr  
Reg. No. 47,057  
Customer No. 22,852

**CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"**

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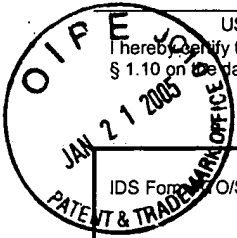
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By: Linda Matsumi  
Linda Matsumi



IDS Form O/SB/08: Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

**Complete if Known**

Application Number	09/378,759
Filing Date	August 23, 1999
Confirmation No.	9481
First Named Inventor	Gary M. FOX
Art Unit	1646
Examiner Name	M. Brannock
Attorney Docket Number	06843.0027-03000

Sheet 1 of 1

**U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS**

Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 95/27061 A	10-12-1995	Genentech Inc; Bennett et al.		
		WO 95/30326 A	11-09-1995	Mount Sinai Hospital Corp; Pawson et al.		

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		Henkemeyer et al., "Immunolocalization of the Nuk receptor tyrosine kinase suggests roles in segmental patterning of the brain and axonogenesis" Oncogene, 9(4): 1001-1014 (1994).	
		Fox et al., "cDNA cloning and tissue distribution of five human eph-like receptor protein-tyrosine kinases" Oncogene, 10(5): 897-905 (1995).	
		European Search Report dated September 16, 2004, for European Patent Application No. 04007136.7.	

Examiner Signature		Date Considered	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.